

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: By **VICE CHAIRMAN DALE MAHLUM**, on March 10, 2003
at 3 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dale Mahlum, Vice Chairman (R)
Sen. Ken (Kim) Hansen (D)
Sen. Sam Kitzenberg (R)
Sen. Linda Nelson (D)
Sen. Gerald Pease (D)
Sen. Corey Stapleton (R)
Sen. Mike Taylor (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Walter McNutt (R)

Members Absent: None.

Staff Present: Jennifer Stephens, Committee Secretary
Doug Sternberg, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HJ 15, HB 455, 2/24/2003
Executive Action: HJ 445, HB 15

HEARING ON HB 455

Sponsor: REP. BOB LAKE, HD 60, HAMILTON

Proponents: Greg Ames, MT Department of Agriculture
John Bloomquist, MT Stock Growers
Barbara Broberg, Women Involved in Farm Economics,
(WIFE)
Bob Stephens, MT Grain Growers

Opponents: None

Opening Statement by Sponsor:

REP. BOB LAKE, HD 60, HAMILTON, submitted written testimony,
EXHIBIT(ags50a01) .

Proponents' Testimony:

Greg Ames, MT Department of Agriculture, presented the testimony
of Ralph Peck, Director, MT Department of Agriculture,
EXHIBIT(ags50a02) .

John Bloomquist, MT Stock Growers, explained that the whole
livestock feed safety issue warrants the creation of HB 455 and
asked that the bill be concurred in.

Barbara Broberg, Women Involved in Farm Economics, (WIFE), said
especially with the aftermath of 9/11, it is important that HB
455 be passed.

Bob Stephens, MT Grain Growers, supported HB 455.

Questions from Committee Members and Responses:

SEN. DALE MAHLUM asked REP. LAKE if he liked what the bill would
do if passed. REP. LAKE explained that with his experience in
the feed industry, most farmers and ranchers are not opposed to
inspectors checking their feed. He said the bill is more of a
justification that allows the MT Department of Agriculture the
right to check non-commercial feed without contacting a Court
Marshall.

SEN. COREY STAPLETON asked REP. LAKE how the bill would compare
to what is being done in England. He was specifically asking how
the bill relates to the prevention of Mad Cow Disease. REP. LAKE
said the bill is actually an extension of the commercial

regulation that is part of Montana statute right now. The feed industry already works under the regulation of not feeding animal products to ruminant animals. **Mr. Ames** added that the regulatory oversight that is currently in place already has guidelines concerning Mad Cow Disease. He said that scientific research has shown that feeding ruminant animals brain tissue may be the cause of Mad Cow Disease.

SEN. TAYLOR asked **Mr. Ames** if there were any reported cases of Mad Cow Disease in the state. **Mr. Ames** said no.

SEN. LINDA NELSON asked **Mr. Ames** why the bill didn't have a bi-line. **Mr. Ames** said he had met with **Ralph Peck, Director, MT Department of Agriculture**, and the Montana Stock Growers association so the bi-line wasn't necessary.

Closing by Sponsor:

REP. BOB LAKE, HD 60, HAMILTON reviewed the bill and closed.

HEARING ON HJ 15

Sponsor: **REP. PAT WAGMAN, HD 26, LIVINGSTON**

Proponents: **John Bloomquist, MT Stock Growers**
Cork Mortensen, MT Farm Bureau
Barbara Broberg, Women Involved in Farm Economics,
(WIFE)
Tom Linfield, MT Department of Livestock
Chris Smith, Montana Fish, Wildlife, and Parks

Opponents: **Joshua Osher, Buffalo Field Campaign**
Florence M. Gardipie, Student, University of MT
Darrell Geist, Missoula

Opening Statement by Sponsor:

REP. PAT WAGMAN, HD 26, LIVINGSTON, submitted written testimony, **EXHIBIT** (ags50a03).

Proponents' Testimony:

John Bloomquist, MT Stock Growers, explained that brucellosis is one of the most critical issues to livestock and cattle in the state of Montana. He added that brucellosis is a very complex issue and both state and federal governments need to be involved.

He thinks that eliminating brucellosis in Yellowstone Park's bison is a step in the right direction.

Cork Mortensen, MT Farm Bureau, agreed with previous testimony and gave a brief history of brucellosis in Yellowstone Park's bison. He also said that it was quite rare for the bison to roam into the Gardner area. He ended by saying there are too many animals for the amount of foliage in Yellowstone park.

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Barbara Broberg, Women Involved in Farm Economics, (WIFE), stood in support of HJ 15.

Tom Linfield, MT Department of Livestock, submitted written testimony, **EXHIBIT**(ags50a04).

Chris Smith, Montana Fish, Wildlife, and Parks, submitted written testimony, **EXHIBIT**(ags50a05).

Opponents' Testimony:

Joshua Osher, Buffalo Field Campaign, submitted written testimony, **EXHIBIT**(ags50a06).

Florence M. Gardipie, Student, University of MT, submitted written testimony, **EXHIBIT**(ags50a07).

Darrell Geist, Missoula, submitted written testimony, **EXHIBIT**(ags50a08).

Questions from Committee Members and Responses:

SEN. KEITH BALES asked **Mr. Geist** how many bison he thinks should be allowed in Yellowstone Park and also how far they should be able to roam. **Mr. Geist** said that it is hard to estimate how many bison the land in Yellowstone can carry. He also added that bison can survive on a lower quality of forage. He said the entire Gallatin Forrest should be open to the bison. **SEN. BALES** noted that there is private land in the Gallatin Forest. He wanted to know if the bison should be allowed to roam in the private property. **Mr. Geist** said that the bison pose no threat. **SEN. BALES** asked **Mr. Geist** how many bison it would take to make a viable heard. **Mr. Geist** said that question would have to be determined biologically and scientifically.

SEN. TAYLOR asked **Mr. Osher** why he is afraid to inoculate the Yellowstone bison from brucellosis if it won't alter the purity

of the herd. **Mr. Osher** explained that there is no effective vaccine for brucellosis in bison. He also mentioned that the bison naturally have genes that help them overcome brucellosis as well as hepatitis and salmonella. He emphasized that through his own studies, he has come to the conclusion that brucellosis is not a threat. He ended by acknowledging that something must be done with the Yellowstone bison; he just doesn't think the changes proposed in HJ 15 will help the situation.

SEN. BALES asked **Dr. Linfield** if the brucellosis vaccine is effective on bison. **Dr. Linfield** said there have been several studies on the vaccines and the research seems to vary. He did indicate that the vaccines have some inherent drawbacks and are not always effective. **SEN. BALES** asked if it was true that the bison test negative to the disease after 4 years of age. **Dr. Linfield** said it is generally thought that once an animal is exposed to the bacteria and is infected, it is a lifetime infection.

SEN. BALES asked **Mr. Bloomquist** to comment on the state's efforts to manage the Yellowstone bison. **Mr. Bloomquist** said that the state has adopted many measures with Yellowstone park officials for boundary control.

Closing by Sponsor:

REP. PAT WAGMAN, HD 26, LIVINGSTON, summarized his earlier premises and closed on HJ 15.

EXECUTIVE ACTION ON HB 455

Motion/Vote: **SEN. NELSON** moved that HB 455 BE CONCURRED IN. Motion carried unanimously.

SEN. JERRY BLACK, SD 44, SHELBY, asked the committee to help draft a revenue bill concerning ethanol.

SEN. STAPLETON asked if the bill had been heard yet in the house. **SEN. BLACK** said it hadn't been heard or scheduled.

SEN. STAPLETON moved that the committee draft a committee bill. Motion carried unanimously.

EXECUTIVE ACTION ON HJ 15

Motion/Vote: SEN. TAYLOR moved that HJ 15 BE CONCURRED IN.
Motion carried unanimously.

ADJOURNMENT

Adjournment: 4:15 P.M.

SEN. KEITH BALES, Chairman

JENNIFER STEPHENS, Secretary

KB/JS

EXHIBIT (ags50aad)